

REMARKS/ARGUMENTS

Claims 1-12 are pending in the present application.

The claims have been amended to more particularly point out and distinctly claim the present invention. Moreover, the specification has been amended to correct several informalities cited by the Examiner.

In the outstanding Official Action, the disclosure was objected to for not explaining whether the molecular weight of the polysiloxane is weight average or number average molecular weight.

The specification has been amended so that the "molar mass" mentioned on page 3 refers to "molecular weight". It is believed that this informality arose as a result of a translation and that the present amendment obviates the objection set forth in the Official Action. The term "molecular weight" refers to the total molecular weight of the polysiloxane.

The outstanding Official Action also objected to the disclosure for not containing a brief description of the drawings. Page 4 of the present disclosure has been amended to incorporate such a section.

The Official Action also alleged that the formulas found on page 5, lines 16-19 and page 5, lines 26-30 were incorrect. The Official Action stated that the oxygen atom in the formulas should appear to be bound in the ring. It is

believed to be apparent that this objection has been obviated as the formulas have been amended to show that the oxygen atom appears bound in a ring.

The Official Action objected to claims 9 and 11 for containing several informalities in the formulas. It is believed that these formulas have also been corrected. The formulas for the epoxy siloxane have been corrected to show that the oxygen is bound in the ring. Moreover, the (CH_2) K group is no longer underlined and the connectivity to the siloxane portion of the molecule is shown.

In the outstanding Official Action, claims 1-12 were rejected under 35 U.S.C. § 112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains for which it is most nearly connected to make and/or use the invention. In view of the present amendment, this rejection is respectfully traversed.

As noted above, the specifications and claims have been amended so that the term "molar mass" has been replaced with "molecular-weight". It is believed that claims 1-12 satisfy the requirements of 35 U.S.C. § 112, first paragraph.

Claims 10 and 11 were rejected under 35 U.S.C. § 112, second paragraph, for allegedly being indefinite for failing to particular point out and distinctly claim the subject matter

which Applicant regards as the invention. This rejection is respectfully traversed.

The Official Action alleged that claims 10 and 11 lacked antecedent basis for reciting the term "paint composition". Claims 10 and 11 have been amended to recite a "composition". Thus, it is believed that claims 10 and 11 are definite to one of ordinary skill in the art.

In the outstanding Official Action, claims 1, 3, and 9-11 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by KURIYAMA et al. This rejection is respectfully traversed.

Applicants believe that KURIYAMA et al. fail to disclose each and every recitation of the claimed invention. KURIYAMA et al. disclose an epoxy resin composition. However, applicants believe that KURIYAMA et al. disclose that the reaction product of poly siloxane and organosilane (which does not have to be an epoxy silanes) is mechanically dispersed and that the epoxy resin does not take part in a hardening reaction. A particle size range has been defined by KURIYAMA et al. for the reaction product. Applicants believe that this demonstrates that the reaction product does not react on a molecular level or take part in a hardening reaction. As a result, Applicants believe that KURIYAMA et al. fail to disclose an epoxy silane which acts as a crossover region between siloxane chains.

Thus, it is believed that KURIYAMA et al. fails to disclose or suggest each and every recitation of the claimed invention. Applicants believe that KURIYAMA et al. fail to anticipate the claimed invention.

Claims 1, 2, 9, 10 and 12 were rejected as allegedly being anticipated by GASMENA. This rejection is respectfully traversed.

GASMENA discloses a coating composition. The composition must be prepared by combining an epoxy silane resin, an epoxy resin, a silicone intermediate, a silicone-modified polyether, an amino silane, at least one organometallic catalyst, at least one organic solvent, water, and at least one filler. As a result, this highly specified composition fails to disclose the claimed invention.

The Examiner's attention is respectfully directed to column 4, line 64 to column 5, line 20, wherein GASMENA discloses that the use of a silicone containing polyether is required. In the formula presented in column 5, R7 represents a hydrocarbon. The chain is formed of oxygen and hydrocarbon. Applicants believe that GASMENA fails to disclose or suggest the poly siloxane of the claimed invention. Moreover, as further evidence that the compositions are distinct, Applicants note that the present invention does not require the use of solvents or

fillers. Thus, it is believed that GASMENA fails to anticipate or render obvious the claimed invention.

In the outstanding Official Action, claims 4 and 5 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over KURIYAMA et al. in view of EKLUND et al. This rejection is respectfully traversed.

EKLUND et al. relate to a coating. In manufacturing the coating, an anhydride compound is used. It believed that EKLUND et al. fail to remedy the deficiencies of KURIYAMA et al. Indeed, EKLUND et al. do not even mention the use of an epoxy siline.

In addition, Applicants believe that one of ordinary skill in the art would lack the motivation to combine the two publications. As noted above, KURIYAMA et al. is directed to a carefully formulated composition. Applicants believe that neither KURIYAMA et al. nor EKLUND et al. provide one of ordinary skill in the art the suggestion to combine or modify these compositions. Indeed, Applicants traverse the notion that one of ordinary skill in the art would use pentaerythritol polyglycidyl ether as an epoxy resin derived from polyalcohols absent the motivation to do so.

In view of the above, it is believed that the proposed combination fails to render obvious the claimed invention.

Claims 4, 6, and 7 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over KURIYAMA et al. in view of IWAMURA et al. This rejection is respectfully traversed.

It is believed that IWAMURA et al. fail to remedy the deficiencies of KURIYAMA et al. IWAMURA et al. relate to a high temperature curing coating. The coating contains an acrylic oligomer having blocked hydroxyl groups. However, IWAMURA et al. fail to even mention the use of epoxy silane. Thus, it is believed that IWAMURA et al. fail to remedy the deficiencies of KURIYAMA et al.

Applicants also traverse the assertion that would have been obvious to one of ordinary skill in the art to combine the two publications. While the Official Action contends that one of ordinary skill in the art would have looked to IWAMURA et al. to provide specific examples of such resins, the two publications fail to provide any suggestion to do so.

Claims 3-5 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over GASMENA in view of EKLUND et al. This rejection is respectfully traversed.

As noted above, EKLUND et al. relate to high temperature resistant coatings. However, EKLUND et al. fail to remedy the deficiencies of the carefully formulated GASMENA

product. Indeed, EKLUND et al. fail to even mention an epoxy siline.

Applicants traverse the assertion that it would have been obvious to one of ordinary skill in the art at the time of the invention to use pentaerythritol polyglycidyl ether as a aliphatic glycidal epoxy resin. GASMENA teaches a carefully formulated composition. Absent the express motivation that additional resins could be used successfully, one of ordinary skill in the art would lack the motivation to combine the two publications.

Thus, in view of the above, it is believed that the present combination of GASMENA in view of EKLUND et al. fails to render obvious claims 3-5.

Claims 3, 4, 6, and 7 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over GASMENA in view of IWAMURA et al. This rejection is respectfully traversed.

IWAMURA et al. relate to coatings. The coating contains an acrylic oligomer having blocked hydroxyl groups. However, such a component is not used in the present invention and Applicants believe that IWAMURA et al. fails to remedy the deficiencies of GASMENA.

Applicants traverse the assertion that it would have been obvious to one of ordinary skill in the art at the time the invention to use triglycidyl ether of glycerin or neopentyl

glycol diglycidyl ether as an aliphatic glycidal epoxy resin. Once again, Applicants do not believe that one of ordinary skill in the art would look towards IWAMURA et al. or any other publication to provide specific examples of such resins when there is no need to do so.

Thus, it is believed that GASMENA in view of IWAMURA et al. fails to render obvious claims 3, 4, 6, and 7.

In view of the present amendment and the foregoing remarks, therefore, it is believed that this application is now in condition for allowance, with claims 1-12, as presented. Allowance and passage to issue on that basis are accordingly respectfully requested.

Entry of the above amendments is earnestly solicited. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

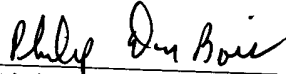
The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

Application No. 10/019,962
Amdt. dated June 3, 2003
Reply to Office Action of March 4, 2003
Docket No. 3501-1001

overpayment to Deposit Account No. 25-0120 for any additional
fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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PD/psf